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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MARK SMITH,

11 Plaintiff,

12 v.

13 EVERGREEN TREATMENT
14 SERVICES,

15 Defendant.

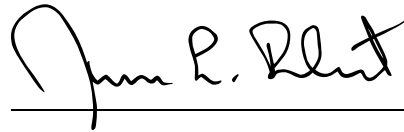
CASE NO. C18-0701JLR

ORDER STRIKING DISCOVERY
MOTION

16 Before the court is Defendant Evergreen Treatment Services's ("Evergreen")
17 motion to compel Plaintiff Mark Smith's responses to discovery. (Mot. (Dkt. # 28).)
18 Evergreen filed that motion without first requesting a conference with the court. (*See*
19 Dkt.) The motion therefore contravenes the court's December 12, 2018, scheduling
20 order. (*See* Sched. Order (Dkt. # 25) at 2 (citing Fed. R. Civ. P. 16(b)(3)(B)(v))
21 ("[P]ursuant to Federal Rule of Civil Procedure 16, the Court 'direct[s] that before
22 moving for an order relating to discovery, the movant must request a conference with the

1 court' by notifying [the courtroom deputy]" (second alteration in original)); *see*
2 *also* Fed. R. Civ. P. 16(b)(3)(B)(v) (permitting the court, in its scheduling order, to
3 "direct that before moving for an order relating to discovery, the movant must request a
4 conference with the court"). The court therefore STRIKES Evergreen's motion to
5 compel discovery (Dkt. # 28) without prejudice to renewing the motion in a manner that
6 comports with the court's scheduling order.

7 Dated this 10th day of July, 2019.

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10 JAMES L. ROBART
11 United States District Judge
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